

07-02-01

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY PATENT APPLICATION TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 005217.P036

(maximum 12 characters)

First Named Inventor Anthony F. Istvan et al.Title: USER MODEL FOR INTERACTIVE TELEVISION SYSTEMExpress Mail Label No. EL429890159US

ADDRESS TO: **Assistant Commissioner for Patents**  
**Box Patent Application**  
**Washington, D. C. 20231**

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.        **Fee Transmittal Form (e.g., PTO/SB/17)**  
(Submit an original, and a duplicate for fee processing)
2.        **Applicant Claims Small Entity Status. (37 CFR 1.27)**
3.   X   **Specification (Total Pages   53  )**  
(preferred arrangement set forth below)
  - Descriptive Title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference sequence listing, a table,  
      or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.   X   **Drawings(s) (35 USC 113) (Total Sheets   16  )**
5.   X   **Oath or Declaration (Total Pages   5  )**
  - a.        Newly Executed (Original or Copy)
  - b.        Copy from a Prior Application (37 CFR 1.63(d))  
(for Continuation/Divisional with Box 17 completed)
    - i.        **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
  - c.   X   Unsigned.
6.        **Application Data Sheet. (37 CFR 1.76)**
7.        **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**
8.        **Nucleotide and/or Amino Acid Sequence Submission**  
(if applicable, all necessary)
  - a.        **Computer Readable Form (CRF)**
  - b.        **Specification Sequence Listing on.**
    - i.        **CD-ROM or CD-R (2 copies); or**
    - ii.        **paper**
  - c.        **Statement verifying identity of above copies**

## ACCOMPANYING APPLICATION PARTS

9.        **Assignment Papers (cover sheet & documents(s))**
10.        a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- b. Power of Attorney
11.        English Translation Document (if applicable)
12.        a. Information Disclosure Statement (IDS)/PTO-1449
- b. Copies of IDS Citations
13.        **Preliminary Amendment**
14.   X   **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15.        Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.   X   **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17.   X   Other:       separate sheet with title, express mail label, copy of postcard and attorney's signature

**18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

       Continuation        Divisional        Continuation-in-part (CIP)  
 Of Prior Application No.:        Examiner        Group Art Unit         
 (which is a        continuation/        divisional/        CIP of prior application no.       ,  
 which is a        continuation/        divisional/        CIP of prior application no.       ) (List entire chain of priority)

**Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.**  
**For CONTINUATION AND DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18B. Statement under 37 CFR 3.73(b) for continuing application:**

The undersigned states that        (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No.        Frame No.        (or a copy of which is attached).

### 19. Correspondence Address

       Customer Number or Bar Code Label         
 or        (Insert Customer No. or Attach Bar Code Label here)

  X   Correspondence Address Below

NAME Lawrence E. Lycke  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard  
Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (425) 827-8600 FAX (425) 827-5644

Name (PRINT/TYPE): Lawrence E. Lycke Registration No.: 38,540  
 Signature: *Lawrence E. Lycke* Date: June 26, 2001

**REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)**

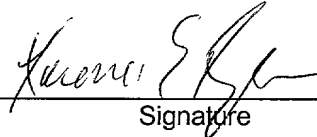
First Named Inventor Anthony F. Istvan  
 Title USER MODEL FOR INTERACTIVE TELEVISION SYSTEM

Attorney Docket No. 005217.P036

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

June 28, 2001

Date



Signature

Lawrence E. Lycke

Reg. No. 38,540

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

Our Reference: 005217.P036

Patent

USER MODEL FOR INTERACTIVE TELEVISION SYSTEM

Inventors: Anthony F. Istvan  
James C. Broadus

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP



Lawrence E. Lycke  
Reg. No. 38,540

"Express Mail" mailing label number: EL429890159US

Date of Deposit: June 28, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Jenny E. Miller

(Typed or printed name of person mailing paper or fee)

Jenny E. Miller 6-28-01  
(Signature of person mailing paper or fee) (Date signed)

Serial/Patent No.: Not Yet Assigned Filing/Issue Date: Herewith

Client: Digeo, Inc.

Title: USER MODEL FOR INTERACTIVE TELEVISION SYSTEM

BSTZ File No.: 005217.P036

Atty/Secty Initials: LEL/jem

Date Mailed: June 28, 2001

Docket Due Date: \_\_\_\_\_

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Amendment/Response (____ pgs.)  | <input checked="" type="checkbox"/> Express Mail No.: <u>EL429890159US</u>               | <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)                                    | <input type="checkbox"/> _____ Month(s) Extension of Time                                | Amt: _____                               |
| <input checked="" type="checkbox"/> Application - Utility ( <u>53</u> pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO-149 (____ pgs.)          | <input type="checkbox"/> Check No. _____ |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)                         | <input type="checkbox"/> Issue Fee Transmittal   | Amt: _____                               |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)                           | <input type="checkbox"/> Notice of Appeal  |  |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (____ pgs.)                                  | <input type="checkbox"/> Petition for Extension of Time                                  |  |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)                      | <input type="checkbox"/> Petition for _____  |  |
| <input type="checkbox"/> Application - Design (____ pgs.)  | <input checked="" type="checkbox"/> Postcard   |  |
| <input type="checkbox"/> Application - PCT (____ pgs.)   | <input type="checkbox"/> Power of Attorney (____ pgs.)                                   |  |
| <input type="checkbox"/> Application - Provisional (____ pgs.)                                       | <input type="checkbox"/> Preliminary Amendment (____ pgs.)                               |  |
| <input type="checkbox"/> Assignment and Cover Sheet  | <input type="checkbox"/> Reply Brief (____ pgs.)   |  |
| <input type="checkbox"/> Certificate of Mailing  | <input type="checkbox"/> Response to Notice of Missing Parts                             |  |
| <input checked="" type="checkbox"/> Declaration & POA ( <u>5</u> pgs.) <b>unsigned</b>               | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business     |  |
| <input type="checkbox"/> Disclosure Docs & Orig & Copy of Inventor's Signed Letter (____ pgs.)       | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate <b>3 pages each</b> |  |
| <input checked="" type="checkbox"/> Drawings: <u>16</u> # of sheets includes <u>19</u> figures       | <input type="checkbox"/> Fee Transmittal, in duplicate                                   |  |

☒ Other: Certificate of mailing with copy of return postcard signed by attorney, with SB35 form of request for non-publication included in the transmittal letter.